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Attention: Examiner Robert G. Santos

Fax Number: 703-872-9306

From: Marcus G. Theodore, Registered Patent Attorney

Number of Pages (including cover): 2

RE: Election Serial No. 10/633,377 Infant Reflux Suspense System and Bed

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| <input type="checkbox"/> For Your Information | <input checked="" type="checkbox"/> Pursuant to Your Request |
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Serial No. 10/633,377 :
Filed: 8/4/2003 :
Invention: Infant Reflux Mattress Suspense : Art Unit 2632
System and Bed :
Inventor: Smart :
Examiner: Santos, Robert G. :

ELECTION

Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

Responsive to the Office Action mailed 9/13/04, APPLICANT ELECTS Species 2, Figures 2-5 with traverse under 35 U.S.C. 121, and Claims 4 through 21 related thereto. It is felt that the restriction is improper as the embodiment of Species 1 covered by Claims 1 through 3 is sufficiently related to the embodiments of Species 2 covered by Claims 4 through 21 so as to not constitute separate inventions where both are dependent on mattress side posts positioned along the sides of an infant lying on an angled mattress suspended via a strap system attached to the side posts.

If the Examiner's requires further comments, a telephonic conference is requested.

Dated this 20th day of September 2004.

Marcus G. Theodore
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CERTIFICATE OF MAILING

I certify that I mailed a true and correct copy of the foregoing Election to Mail Stop Non-Fee Amendment to Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, postage prepaid, and via fax to 703-872-9306 this 20th day of September 2004.